

SENATE CHAMBER, )  
November 1, 1866. )

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Question pending last night at adjournment, was the engrossment of a bill to incorporate the Brownsville Levee Company.

Senator Truitt, Chairman of Committee on Private Land Claims, reports and recommends the passage of a bill for the relief of the heirs of Reddick P. Jackson.

Senator Yarbrow made the following report :

*Hon. G. W. Jones, President of the Senate :*

The Committee on Commerce and Manufactures, to whom was referred a House bill entitled "An Act to incorporate the Melrose Petroleum Oil Manufacturing Company, have had the same under consideration, and find that a bill has already passed both Houses of the present Legislature nearly an exact copy of this bill. The Committee therefore instruct me to report the bill back to the Senate and recommend that it do not pass.

J. C. YARBROW, Chairman.

Senator Voigt made the following report :

*Hon. G. W. Jones, President of the Senate :*

The Committee on Enrolled Bills have examined the following bills, to-wit :

"An Act regulating contracts for labor."

"An Act to incorporate the Caddo Lake Manufacturing Company," and find the same correctly enrolled and properly signed, and have presented the same to the Governor for his approval.

F. VOIGT, One of Com. on Enrolled Bills.

Senator Record, Chairman of Judiciary Committee, reports and recommends the passage of House bill, No. 176, entitled "An Act providing for the custody and authentication of the Records of the Confederate Courts."

Also reports :

*Hon. G. W. Jones, President Senate:*

The Judiciary Committee to whom was referred a bill to amend the 4th section of "An Act regulating the time and mode of selecting Jurors," approved February 13, 1858, have had the same under consideration, and instruct me to report that the House bill upon the same subject now before the Senate, and recommended by your Committee, provides fully for the subject

matter of this bill, and they recommend that no further action be taken upon this bill.

• J. P. K. RECORD, Chairman.

Also reports :

*Hon. G. W. Jones, President Senate:*

The Judiciary Committee have had under consideration House bill No. 226, to be entitled "An Act supplemental to and amendatory of an act entitled an act to establish a Code of Criminal Procedure for the State of Texas," and have instructed me to report the same back to the Senate and recommend that no further action be taken upon the bills; the Senate bill upon the same subject has already passed into a law, and no further legislation in relation to the subject is deemed necessary.

J. K. P. RECORD, Chairman.

Also reports :

*Hon. G. W. Jones, President of the Senate, :*

The Judiciary Committee have had under consideration House Bill No. 236, entitled "An Act amendatory of an Act regulating Juries," approved February 13, 1858, and have instructed me to report the same back to the Senate and recommend its passage, with the following amendments.

After section 2nd, strike out the words "An Act amendatory of an act entitled an act regulating Juries," approved May 4, 1846.

Change the 2nd section one, on page three to section 3; and the 2nd section two, on page 4 to section 4.

J. K. P. RECORD, Chairman.

Also reports adversely to House bill No. 205, to be entitled "An Act to amend the 110th section of an act to be entitled an act to regulate proceedings in the County Courts pertaining to Estates of deceased persons."

Senator Braswell, Chairman of Committee on Internal Improvements, reports and recommends the passage of a bill to incorporate the Corpus Christi and Aransas Pass Canal Company."

Senator Stell made the following report :

*Hon. G. W. Jones, President of the Senate :*

Your Committee on State Affairs, to whom was referred a bill to be entitled "An Act to encourage the Manufacture of Iron, and to authorize the employment of convict labor therein," have considered the same, and a majority of said Committee have instructed me to report the bill back and recommend its passage.

J. W. STELL, Chairman.

Senators J. W. Stell and Geo. E. Burney dissenting from above report.

Also reports :

*Hon. G. W. Jones, President of the Senate :*

Your Committee on State Affairs, to whom was referred a bill to be entitled "An Act to establish a Branch Penitentiary," have considered the same, and have instructed me to report the same back, and say that in consequence of existing circumstances unnecessary to enumerate, that it is impracticable at this time to engage in this work ; and therefore, they instruct me to recommend that the bill do not pass.

J. W. STELL, Chairman.

Also reports :

*To Hon. G. W. Jones, President Senate:*

Your Committee on State Affairs to whom was referred a bill to be entitled "An Act to provide for the erection of the second Penitentiary of the State of Texas," have considered the same and instruct me to report the same back, and say that in consequence of the unsettled condition of the State Affairs, and of the present embarrassed condition of the State and people, that the State should not now engage in this work ; and therefore, they recommend that the bill do not pass.

J. W. STELL, Chairman.

Senator Guinn made the following report :

*Hon. G. W. Jones, President Senate, and Hon. N. M. Burford, Speaker of the House of Representatives :*

The Committee of Conference on the disagreement of the two Houses on the amendment by the House to a Senate bill to exempt certain property from forced sale, report the accompanying substitute for the amendment of the House, and ask its adoption.

Section 1. after "family," insert "or house-holder being a citizen."

After "dollars," sixth line, section 1, add "at the time of their destination as a homestead, nor shall the subsequent increase in the value of the homestead, by reason of improvements or otherwise, subject the same to forced sale."

R. H. GUINN,

Chairman on part of the Senate.

W. C. DANIEL,

Chairman on part of the House.

Upon motion of Senator Guinn the report was taken up and adopted.

Senator Neyland made the following report :

COMMITTEE ROOM, }  
Oct. 31, 1866. }

*Hon. G. W. Jones, President of the Senate :*

The Committee on Engrossed Bills have examined and find correctly engrossed the following bills :

"A bill to be entitled "An Act to incorporate the New Braunfels Woolen Manufacturing Company,"

A bill to be entitled "An Act to incorporate the Texas Overland Transportation Company."

A bill to be entitled "An Act to create a body corporate and politic, under the name of the Indianola Mercantile Association."

And, a bill to be entitled "An Act to incorporate the town of Marlin, in Falls county."

Respectfully submitted,

W. M. NEYLAND,

Chairman Committee on Engrossed Bills.

Senator Truitt offered the following resolution :

*Resolved by the Legislature of the State of Texas,* That the Secretary of State be, and he is hereby directed to have the "Alamo Monument," in the front hall of the Capital, repaired, and a substantial iron railing placed around the same for its protection, and that the sum of five hundred dollars, or so much thereof as may be necessary, be, and is hereby appropriated out of any money in the Treasury, not otherwise appropriated, for the payment of said repairs and railing.

Resolution read first time and referred to Committee on State Affairs.

Senator Bumpass presented memorial of the citizens of Collin county, for the relief of J. S. M. Davis.

Referred to Committee on Finance.

Senator Burney offered the following resolution :

*Resolved,* That the Sergeant-at-Arms be required to close up the gates to the Capital Grounds.

Resolution adopted.

The following message was received from His Excellency the Governor, which, upon motion of Senator Brown, was taken up and read.

EXECUTIVE OFFICE, }  
Austin, Texas, Oct. 31, 1866. }

*Gentlemen of the Senate and House of Representatives :*

The duties pressing upon my time since your session began, have precluded me from conferring with you personally upon prominent subjects of interest connected with our domestic condition, and others related thereto, having a direct influence upon our future Federal relations.

The fact that the true sentiment of our people is misunderstood by our Northern countrymen, makes it the more necessary for us to be explicit in giving authoritative expression to what we know to be the true and correct wishes of the people of Texas upon those questions wherein they have been most unjustly misrepresented.

It has been constantly asserted that our people are rebellious; that we do not desire a restoration of the Union; that citizens of this State who adhered to the Union during the war are in constant danger of assassination; that without the presence of the soldiers of the General Government this class of people could not remain among us, and that thousands of them are fleeing from the State, &c., &c.

You have already passed a joint resolution inviting labor and capital to the State from other countries, and especially from the other States of the Union. I would suggest the propriety of embodying in the form of a resolution, the earnest and sincere desire of the people for peace and perfect restoration, their determination to obey the laws of the General Government, and their wish to cultivate friendly and cordial relations with the people of all the States, and solemnly pledging the authorities of the State government and the people to sustain the laws of the land and to afford to all classes, without distinction, the fullest measure of protection for life, property and the enjoyment of political sentiment.

It is, also, charged, that we are inimical to the welfare and improvement of the freed people, and that we seek to oppress them. The provisions of our amended Constitution afford ample refutation of the charges. Besides express provisions for their benefit, the Legislature is empowered to go still further, and in this connection, I desire to call your attention to the several provisions of the Constitution relating to this class of our people, with a view to invite your action upon several questions which I deem of the utmost importance.

Article VIII, Section 1 of the Constitution, declares that "Africans and their descendants shall be protected in their rights of person and property by appropriate legislation," and further says, "they shall have the right to contract and be contracted with, to sue and be sued, to acquire, hold and transmit property, and all criminal prosecutions against them shall be conducted in the same manner as prosecutions for like offences against the white race, and they shall be subject to like penalties."

It is obvious from the foregoing provisions that it was the intention of the Convention that the Legislature should provide

such laws as will secure in the amplest manner the rights therein conferred.

The second section of the same article, declares that this class of people shall not be prohibited from testifying orally as witnesses in any case, civil or criminal, involving the right of, or injury to, or crime against any of them in person or property, under the same rules of evidence that may be applicable to the white race; the credibility of their testimony to be determined by the court or jury hearing the same. And the Legislature shall have the power to authorize them to testify as witnesses in all other cases under such regulations as may be prescribed, as to facts hereafter occurring.

I learn that you are now considering the laws contemplated by the first section of the article of the Constitution alluded to, and that you have made the laws exempting property from forced sale apply to all classes alike. I sincerely trust you will complete these measures before your adjournment, and I suggest the propriety of exercising the power conferred upon you by the Constitution, in allowing the testimony of these people in the courts in all cases as to facts hereafter occurring.

I am the more impressed with the propriety of such action when it is considered that it will be the means of relieving our citizens from the fines and punishments so often unjustly inflicted by the agents of the Freedman's Bureau, and where they have but little chance to assert or prove their innocence. It has had this effect in South Carolina, and doubtless was mainly instrumental in procuring the perfect restoration of civil authority in that State. Outside of this very important consideration, it is deemed not to be unwise, or that it will result in any injury to the public welfare.

The seventh section of the tenth article of the Constitution gives the power to the Legislature to levy taxes for educational purposes, and provides that all sums arising from said tax, which may be collected from Africans or persons of African descent, shall be exclusively appropriated for the maintenance of a system of public schools for Africans and their children; and it shall be the duty of the Legislature to encourage schools among these people. Owing to the poverty of the people and their embarrassed pecuniary condition, it is not probable that your honorable body will levy an educational tax, but as the general tax laws will apply to all classes alike, I would respectfully recommend that the State taxes or a portion thereof that may be collected from freedmen, be relinquished to the counties with directions

to the Police Courts that the same shall be applied to schools for the benefit of persons of color.

These people are among us, and are to remain. We can promote our own welfare, in contributing to their intelligence by such means as are at our command. It is the desire of the people of Texas that the legislation of the country shall be such as to promote the improvement and usefulness of these people, and at the same time tend to secure their confidence, and induce them to rely upon us for the advice and protection necessary to their property.

On a former occasion I suggested the propriety of enacting laws upon the subject of the marital rights of these people. I also suggested the necessity of requiring the counties to provide for all who were indigent and had no person to look to for support, and at the same time called attention to the necessity of amending the law as to lunatics, and invoking such appropriations as may be necessary to enable the Superintendent of the Asylum to receive and treat persons of color. The additional expense necessary to be incurred for that purpose will not be much. I am conscious of the great amount of labor that is still to be accomplished before your adjournment. Yet I feel confident you will patiently address yourselves to the task and discharge every duty necessary to promote the welfare of the country.

On the 29th instant I addressed a telegram to President Johnson, and informed him that your honorable body had refused to ratify the proposed amendment to the Federal Constitution, and made the inquiry if he could offer any suggestion for your action that would facilitate restoration.

I take pleasure in laying before you his reply. I feel every confidence that the wish expressed by him that you will "make all laws involving civil rights as complete as possible, so as to extend equal and exact justice to all persons, without regard to color," will be responded to in the proper spirit.

The firm and hopeful view of the President in regard to the future of our beloved country must be encouraging to every patriot. I trust he may not be disappointed, and I feel that it is the highest duty of patriotism to aid him by every wise and prudent means at our command.

J. W. THROCKMORTON.

WASHINGTON, D. C.,  
October 30, 1866.

*Gov. Throckmorton :*

Your telegram of 29th inst, received. I have nothing to sug-

gest, further than urging upon the Legislature to make all laws involving civil rights as complete as possible, so as to extend equal and exact justice to all persons, without regard to color, if it has not been done. We should not despair of the Republic.

My faith is strong, my confidence unlimited in the wisdom, prudence, virtue, intelligence and magnanimity of the great mass of the people, and that their ultimate decision will be uninfluenced by passion and prejudice, engendered by the recent civil war, for the complete restoration of the Union, by the admission of loyal Senators and Representatives from all the States to the respective Houses of the Congress of the United States.

(Signed)

ANDREW JOHNSON.

Upon motion of Senator Guinn, the message was referred to a special committee.

The Chair announced Senators Record, Guinn, Foscue, Shannon, Cooley, Yarbrough and Stell as special committee.

A message was received from the House, announcing the passage of the following bills, which,

Upon motion of Senator McDade, were taken up and referred as indicated.

House bill, to reincorporate the city of Galveston, and to grant a new charter to said city, and to repeal an act approved December 9th, A. D., 1863, entitled "An act to repeal an act entitled an act to consolidate in one act, and to amend the several acts incorporating the city of Galveston, approved August 27th, 1856, and to grant a new charter of incorporation to said city.

Bill read first time by caption, and made special order for 7½ o'clock, this evening.

Senate bill, supplementary to an act to incorporate the San Antonio Ice Company, with an amendment by the House.

Senate concurred in the amendment.

Senate bill, to permit former owners of land sold for taxes prior to the 28th January, 1861, and purchased by the State, to redeem the same.

Senate bill, to authorize guardians and administrators to compound bad and doubtful debts, in certain cases.

Senate bill, concerning disorganized counties.

Senate bill, supplemental to and amendatory of an act to incorporate Colorado College.

The message also announced the following:

The House has refused to concur in the Senate amendments to bill requiring butchers to report to the Police Courts all animals slaughtered, &c., and has appointed Messrs. Bellamy, Bar-



more, Gurley, Kent and Reeves as a Committee of Conference, and ask that the Senate appoint a like committee.

Also, the House has refused to recede from amendments to Senate bill, exempting certain property from forced sale, and has appointed Messrs. Daniel, Smith of Harris, Munson, Short and Kyle as a Committee of Conference to act with Senate Committee on said disagreements.

The Chair announced the following committee on part of the Senate: Senators Blount, Brown and Littleton on the bill requiring butchers to report animals slaughtered.

Upon motion of Senator McDade, the following House bills were taken up, read first time, and referred as indicated:

Bill to amend an act entitled "An act to incorporate the Western Texas Life, Fire and Marine Insurance Company of the city of San Antonio, passed February 15, 1858."

Bill to carry into effect an ordinance of the late Convention, securing the common school and University fund, and for other purposes.

Read first time, and referred to Committee on Education.

Bill to authorize and require the Comptroller of Public Accounts to transfer certain funds now at credit of school fund to State revenue account.

Read first time, and referred to Finance Committee.

Bill to incorporate the Kaufman Male Academy.

Read first time, and referred to Committee on Education.

Bill to transfer certain specie in the treasury to the credit of estates of deceased persons.

Read first time, and referred to Finance Committee.

Bill to incorporate the Texas and California Telegraph Company.

Read first time, and referred to Committee on Internal Improvements.

Bill amendatory of an act to adopt and establish a Penal Code.

Read first time, and referred to Judiciary Committee.

Upon motion of Senator Parker, rule was suspended, and a bill to amend the 6th section of an act to incorporate the Brazos Internal Improvement and Navigation Company, was taken up, read second time, and passed to a third reading.

Rule further suspended, read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Burney, Coppedge, Dalrymple, Foscue, Guinn, Littleton, McDade, Nel-

son, Neyland, Parker, Record, Reed, Saufley, Selman, Shannon, Stell, Truitt, Voigt and Yarbrow—22.

Upon motion of Senator Record, rule was suspended, and a House bill to incorporate the Victoria and Columbia Railroad Company, with amendments recommended by the Committee on Internal Improvements, taken up, and amendments made.

Bill as amended, read second time, and passed to a third reading.

Rule further suspended, read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Boyd, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Littleton, McDade, Nelson, Neyland, Parker, Record, Reed, Selman, Shannon, Stell, Truitt, Voigt and Yarbrow—22.

Senator Foscue introduced a bill to provide for the education of persons of African descent, as teachers for this race.

Read first time, and referred to Committee on Education.

Upon motion of Senator Stell, rule suspended, and a bill for the relief of David L. Kokernot was taken up, read second time, and passed to third reading.

Rule further suspended, read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Guinn, Knox, Littleton, McDade, Nelson, Neyland, Parker, Record, Reed, Selman, Shannon, Stell, Truitt—21.

NAYS—Senators Foscue and Saufley—2.

Upon motion of Senator Neyland, rule suspended, and a House bill for the relief of Charles Larbeletreir was taken up, read second time, and passed to a third reading.

Rule further suspended, read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Burney, Coppedge, Dalrymple, Foscue, Guinn, Knox, Littleton, McDade, Nelson, Neyland, Parker, Reed, Selman, Shannon, Truitt and Yarbrow—22.

NAYS—Senators Boyd and Saufley—2.

Upon motion of Senator Knox, rule was suspended, and a bill for the relief of the heirs of Reddick P. Jackson was taken up, read second time, and ordered to be engrossed.

Rule further suspended, read third time and passed.

On motion of Senator Shannon, rule was suspended, and a bill for the relief of the heirs of Anson Jones, was taken up, read second time and ordered to be engrossed; rule further suspended,

read third time, and the yeas and nays being called, was lost, a two-thirds vote being required :

YEAS—Senators Brown, Coppedge, Dalrymple, Foscue, Littleton, McDade, Nelson, Neyland, Parker, Shannon, Truitt, Voigt and Yarbro—13.

NAYS—Senators Braswell, Blount, Boyd, Bumpass, Burney, Cooley, Guinn, Record, Reed, Saufley, Selman and Stell—12.

On motion of Senator Bumpass, rule was suspended, and a bill to incorporate the North Texas and Red River, Oil, Salt, and Coal Company, was taken up, and the amendments recommended by the Committee on Commerce and Manufactures were adopted; read second time, and passed to a third reading; rule further suspended, read third time and passed by the following two-thirds vote :

YEAS—Senators Blount, Boyd, Brown, Bumpass, Burney, Coppedge, Dalrymple, Guinn, Knox, Littleton, Nelson, Neyland, Parker, Record, Reed, Saufley, Selman, Shannon, Stell, Truitt, Voigt and Yarbro—22.

NAYS—Senators Cooley and Foscue—2.

Senator Guinn introduced a joint resolution relating to public property.

Read first time, rule suspended, read second time and ordered to be engrossed; rule further suspended, read third time and passed.

Senator Record, Chairman of the Judiciary Committee, reported as follows :

The Judiciary Committee have had under consideration a bill to regulate issuing, execution and return of writs and process in this State, and have unanimously instructed me to report the accompanying substitute for the bill, and recommend the adoption and passage of the substitute. The present system of serving process is very defective, especially in criminal cases, and should be so amended as to enable sheriffs and other officers to follow offenders wherever they may go, without the delay occasioned by having to hunt up officers in other counties to endorse the writs, or make the arrest, and thereby giving criminals an opportunity to escape.

Respectfully submitted,

J. K. P. RECORD, Chairman.

The hour having arrived for the consideration of the special orders, viz :

A bill for the assessment and collection of taxes, was taken up; amendments recommended by the Finance Committee adopted.

On motion of Senator Stell, the Senate went into Committee of the Whole, upon the consideration of the bills.

Senator Burney in the Chair.

Committee rose, reported progress, and asked to be discharged.

Report of the Committee adopted.

Bill read second time by caption, and passed to a third reading; rule suspended, read third time by caption and passed.

On motion of Senator Littleton, rule was suspended, and a bill to incorporate the Corpus Christi Steamship and Overland Transportation Company, was taken up, read second time and ordered to be engrossed; rule further suspended, read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Cooley, Coppedge, Foscue, Guinn, Knox, Littleton, Neyland, Parker, Saufley, Selman, Shannon, Stell, Truitt, Voigt and Yarbrow—20.

NAYS—Senators Nelson and Reed—2.

On motion of Senator Brown, rule was suspended, and a bill requiring Railroad Companies to provide convenient accommodation for freedmen, was taken up, read second time and passed to a third reading; rule further suspended, read third time and passed.

Senator Voigt reported as follows:

COMMITTEE ROOM, }  
Austin, Oct. 31, 1866. }

*Hon. G. W. Jones, President of the Senate:*

The Committee on Enrolled Bills have examined the following bills:

An act to prohibit the carrying of fire-arms on premises or plantations of any citizen without the consent of the owner.

An act to incorporate the Gymnastic Association of San Antonio.

An act to incorporate the officers and members of Tyler Temple of Honor, No. 8, of the State of Texas.

An act to provide for the punishment of persons for tampering with, persuading or enticing away, harboring, feeding, or secreting laborers or apprentices, or for employing laborers or apprentices, under contract of service to other persons.

An act to incorporate the officers and members of William Tell Lodge, No. 27, of the Independent Order of Odd Fellows, of the State of Texas.

An act to incorporate the Richland Turnpike and Toll Bridge Company.

An act to incorporate the officers and members of St. John's

Lodge, No. 53, (Ancient York) Free and Accepted Masons, located and working at Tyler, in the county of Smith, in the State of Texas.

An act to regulate the erection of bridges in Collin county, and extend the time for the building of the same.

An act to incorporate the officers and patriarchs of Rural Encampment, No. 19, of the Independent Order of Odd Fellows, of the State of Texas, and find the same correctly enrolled, properly signed, and have presented the same to the Governor for his approval.

F. VOIGT,

One of Com. on Enrolled Bills

Senator Neyland reported as follows :

COMMITTEE ROOM,

Austin Nov. 1, 1866.

Hon. G. W. Jones, President of the Senate :

The Committee on Engrossed Bills have examined and find correctly engrossed :

A bill to be entitled "An act amendatory of and supplemental to an act to adopt and establish a Penal Code for the State of Texas. And

A bill to be entitled "An act to provide for the payment of the First Parker County Minute Company, commanded by Capt. L. L. Tackett, and the Wise County Minute Company, commanded by Capt. John Teague." Respectfully submitted.

W. M. NEYLAND,

Chair'n of Com. on Eng'd Bills

A message was received from the House announcing the passage of a Senate bill creating the county of Hood and naming the county site thereof; notwithstanding the objections of His Excellency the Governor.

House bill to amend an act to provide for the payment of grand and petit juries, passed February 1850, on its 3d reading, taken up, read third time and passed.

The Senate resumed the consideration of the question pending at its adjournment, viz: the engrossment of a bill to incorporate the Brownsville Levee Company.

Senator Foscoe moved to amend as follows :

"Provided, That nothing in this act shall be so construed as to prevent the opening of the streets that run at right angles to the river, (or nearly so,) down to the margin of the river, free to the use of the public, whenever the said streets strike the margin of the river at the present time."

Amendment made.

Senator Knox moved to amend as follows:

"*Provided*, That nothing in this act shall be so construed as to prevent the reopening all streets heretofore laid out."

Senator Stell moved to amend as follows:

"*Provided further*, It shall not be so understood as to give the right of opening streets, when none existed under the original survey of the city of Brownsville."

Pending which, upon motion of Senator McDade, the Senate adjourned until this evening at 7½ o'clock.

SENATE CHAMBER, }

7:15 o'clock, p. m., Nov. 1, 1866. }

Senate met pursuant to adjournment.

Roll called—quorum present.

Question pending at last adjournment, was the amendment offered by Senator Stell, to "A bill to incorporate the Brownsville Levee Company."

Senator Guinn made the following report:

*Hon. G. W. Jones, President of the Senate:*

The Finance Committee, to whom was recommitted an act to establish the salaries of State officers, have had the same under consideration, and have instructed me to report the bill back to the Senate, with the following amendments, and when so amended, to recommend its passage:

STATE DEPARTMENT.

1st. Amend by striking out figure "4," and insert "3," in salary of clerk.

TREASURER.

2d. Insert, "one assistant clerk, \$1400 00."

PENITENTIARY.

3d. Insert, "for salary of chaplain, \$500 00; for salary of physician, \$700 00."

4th. Amend 2d section by striking out "November," and insert "January." Which amendments have all been adopted by the Senate.

The committee also recommend the following amendments:

1st. In first section, strike out the word "Legislature," and the eighteen following lines, down to the word "Judicial."

2d. Under the head of "Asylums," after the words "Deaf and Dumb," strike out "\$2000," and insert "\$1500."

R. H. GUINN, Chairman.

Senator Neyland made the following report:

*Hon. Geo. W. Jones, President of the Senate :*

The Committee on Engrossed Bills have examined and find correctly engrossed, a bill to be entitled "An act to incorporate the Corpus Christi Canal Company."

W. M. NEYLAND,

Chairman of Committee on Engrossed Bills.

The hour having arrived for the consideration of the special order, viz: a bill to re-incorporate the city of Galveston, and to grant a new charter to said city, and to repeal an act approved December 9th, A. D., 1863, entitled "An Act to repeal an act entitled an act to consolidate in one act, and to amend the several acts incorporating the city of Galveston, approved August 27th, 1856, and to grant a new charter of incorporation to said city."

Bill was taken up, read first time, rule suspended, read second time, and passed to third reading; rule further suspended, read third time and passed.

The Senate resumed the consideration of the question pending at adjournment, which was the substitute offered by Senator Stell to an amendment offered by Senator Knox to a bill to incorporate the Brownsville Levee Company.

By permission of the Senate, the amendment and substitute pending were withdrawn.

Bill read second time, and ordered to be engrossed; rule suspended, read third time, and passed by the following two-thirds vote :

YEAS—Senators Braswell, Blount, Brown, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Foscus, Giran, Knox, Littleton, McDade, Neyland, Parker, Record, Reed, Saufley, Selman, Shannon, Stell, Truitt, Voigt and Yarbrow—24.

NAYS—None.

Senator Neyland reported as follows:

*Hon. G. W. Jones, President of the Senate :*

The Committee on Engrossed Bills have examined and find correctly engrossed

A bill to be entitled "An Act for the relief of the heirs of Reddick P. Jackson," and

A bill to be entitled "An Act to incorporate the Corpus Christi Steamship and Overland Transportation Company."

W. M. NEYLAND,

Chairman of Committee on Engrossed Bills.

Upon motion of Senator Guinn, rule was suspended, and a bill to establish the salaries of State officers, with the report of the Committee on Finance, was taken up.

Senator Record moved to amend as follows: "amend—the Private Secretary of the Governor shall receive a salary equal to any Chief Clerk of the Departments."

Motion lost.

Question recurring upon the amendments recommended by the committee, the amendments were adopted.

Senator Saufley moved to amend as follows: "provided, that all salaries shall be paid in the currency of the country," upon which the yeas and nays being called, the amendment was made by the following vote:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Burney, Coppedge, Dalrymple, Foscue, Quinn, Littleton, McDade, Nelson, Neyland, Parker, Record, Reed, Saufley, Shannon, Stell, Truitt, Voigt and Yarbro—22.

NAYS—None.

Bill as amended, read second time, and passed to a third reading; rule suspended, read third time by caption and passed.

Upon motion of Senator Shannon, a bill to define the duties of Receiving Clerk of the General Land Office, and requiring him to give bond, with amendments recommended by the Committee on Land Office, was taken up, amendments made, bill read second time, and ordered to be engrossed; rule suspended; bill read third time and passed.

A message was received from the House, announcing the passage of Senate bill to incorporate the Waco Tap Railroad Company; and that the House has concurred in the several Senate amendments to the following House bills, to-wit:

"An Act to amend an act entitled an act to authorize the disposition and sale of the University lands," approved August 30, 1856.

"An Act authorizing the Surveyor of Dallas county to transcribe the records of his office."

"An Act attaching certain counties therein named to the counties of Jack and Montague, for judicial and other purposes."

"An Act to incorporate the Young Men's Real Estate and Building Association," and

"An Act to incorporate the Stovall Academy."

Upon motion of Senator Yarbro, rule was suspended, and a bill to incorporate the Chambers' Creek Bridge Company, was taken up, read second time, and passed to a third reading; rule further suspended, read third time, and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Brown, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Foscue, Quinn, Knox, Littleton,



McDade, Nelson, Neyland, Parker, Record, Reed, Sanfley, Shannon, Stell, Truitt, Voigt and Yarbrow—24.

NAYS—None.

Senator Neyland reported as follows :

COMMITTEE ROOM, }  
Nov. 1, 1866. }

*Hon. Geo. W. Jones, President of the Senate:*

The Committee on Engrossed Bills have examined and find correctly engrossed a bill to be entitled "An Act to incorporate the Planters' Mutual Insurance Company."

Respectfully submitted,

W. M. NEYLAND,

Chairman Committee on Engrossed Bills.

Upon motion of Senator Truitt, rule suspended, and a bill donating land to soldiers, was taken up, and the substitute recommended by the Committee on Education, was adopted.

Senator Shannon moved to strike out the word "enlisted" wherever it occurs in the bill.

Amendment made.

Senator Shannon moved to strike out 5th section.

Motion lost.

Senator Boyd moved to amend by striking out 160 acres and inserting 640 acres, upon which the yeas and nays being called, the amendment was made by the following vote :

YEAS—Senators Braswell, Blount, Boyd, Brown, Burtley, Knox, Littleton, Nelson, Neyland, Reed, Sanfley, Shannon, Stell and Voigt—14.

NAYS—Senators Bumpass, Coppedge, Dalrymple, Foscoe, Guinn, Selman, Truitt and Yarbrow—8.

Senator Guinn moved to amend as follows :

"The applicant shall file a petition in the County Court, setting forth the facts that are required to be established, which shall be sworn to by the applicant, and substantiated by at least two witnesses, which shall be reduced to writing by the clerk, and sworn to by the witness, and recorded by the clerk in a book kept for the purpose."

Amendment made.

Senator Bumpass moved that the bill be re-referred to a Select Committee of five, and made the special order for Saturday night.

Motion prevailed.

The Chair announced the following as the committee : Senators Bumpass, Boyd, Nelson, Littleton and Neyland.

Upon motion of Mr. Foscoe, the Senate adjourned until tomorrow morning at 9½ o'clock.